Remarks:

Reconsideration of the above referenced application in view of the enclosed amendment and remarks is requested. Claims 1, 14, and 20 have been amended. Claims 28-30 have been added. Existing Claims 1 to 30 now remain in the application.

ARGUMENT

Claim 14 is objected to because of a missing period at the end of the claim. This typographical error has been corrected by the above claim amendment. Therefore, the Examiner's objection is moot.

Claim 20 is rejected under 35 U.S.C. § 112 due to insufficient antecedent basis. The antecedent basis has been corrected by the above claim amendment. Therefore, the Examiner's rejection is moot.

Claims 1-27 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 6,081,890 to Datta et al. (hereinafter, "Datta et al."). This rejection is respectfully traversed and Claims 1-27 are believed allowable based on the above Claim amendments and foregoing and following discussion.

Datta et al. generally teach a protection scheme to reuse legacy BIOS on an Itanium® system or other instruction set architecture (ISA). Datta et al. provide a system that supports communication between firmware modules based on different ISAs. Datta et al. teach a firmware system comprises a <u>legacy firmware module</u> and a <u>native firmware module written for native and legacy instruction set architectures (ISAs)</u>, respectively. A data structure is associated with the legacy firmware module to provide access to one or more legacy routines through a first dispatcher. The native firmware module includes a prologue routine. The prologue routine locates the data structure associated with the legacy firmware module and initializes it to provide a link between the first and second firmware modules. Datta et al. teach a protection scheme to reuse anyone's legacy BIOS on an Itanium® system. There is a table for Itanium® code to call into legacy BIOS; this is software convention/call table.

In contrast, Applicants' claimed invention provides a system having a modular boot-block and firmware with hardware entering into a specific file. Applicant's recited invention does not require different instruction sets. Instead, Applicants' invention provides modular, architecturally defined, components for build firmware, including boot-block. Applicants recite that firmware modules, upon reset, transfer control to a defined file called "Volume Top File" (VTF). Hardware calls into the VTF. The VTF can be root-of-trust. For XScale, root-of-trust can be enforced by a hardware co-processor. For Itanium®, VTF contains PAL-A. For any platform with trusted platform modules (TPM), VTF can be the core-root-of-trust. A dispatcher in the firmware calls other modules. VTF and modules as recite, are part of an extensible firmware infrastructure architecture. Datta et al. does not teach or suggest a system that uses en extensible firmware infrastructure. Instead, Datta et al. clearly teach that their invention is designed to work only with <u>legacy</u> firmware.

Claims 1, 14, 20 are amended to clearly recite that the invention is to be implemented with an extensible firmware infrastructure (EFI). The EFI enables modular and architecturally defined components, which are not taught or suggested by Datta et al. Specifically, the claims are amended to require <u>the computer having modular, architecturally defined, components for build firmware</u> and that <u>the volume top file bootstrapping a set of firmware modules, wherein the volume top file conforms to an Extensible Firmware Interface (EFI) specification</u>. Legacy firmware is not modular and architecturally defined. Nor does legacy firmware, as taught by Datta et al., conform to an EFI specification. The cited reference does not teach or suggest the elements of the claimed invention. Thus, Claims 1-30 are believed allowable, as amended.

CONCLUSION

In view of the foregoing, Claims 1 -30 are all in condition for allowance. If the Examiner has any questions, the Examiner is invited to contact the undersigned at (703) 633-6845. Early issuance of Notice of Allowance is respectfully requested. Please charge any shortage of fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 02-2666 and please credit any excess fees to such account.

Respectfully submitted,

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